

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known)

Chapter 11

Check if this an
amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Urban Commons 2 West LLC

2. All other names debtor
used in the last 8 years

Include any assumed
names, trade names and
doing business as names

3. Debtor's federal
Employer Identification
Number (EIN) 83-1819383

4. Debtor's address Principal place of business

3334 East Coast Highway, No. 350
Corona Del Mar, CA 92625

Number, Street, City, State & ZIP Code

Mailing address, if different from principal place of
business

P.O. Box, Number, Street, City, State & ZIP Code

Orange
County

Location of principal assets, if different from principal
place of business

2 West Street New York, NY 10004
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
 Partnership (excluding LLP)
 Other. Specify: _____

Debtor

Urban Commons 2 West LLC

Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

Health Care Business (as defined in 11 U.S.C. § 101(27A))
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
 Railroad (as defined in 11 U.S.C. § 101(44))
 Stockbroker (as defined in 11 U.S.C. § 101(53A))
 Commodity Broker (as defined in 11 U.S.C. § 101(6))
 Clearing Bank (as defined in 11 U.S.C. § 781(3))
 None of the above

B. Check all that apply

Tax-exempt entity (as described in 26 U.S.C. §501)
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
 Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**7211****8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

Chapter 7
 Chapter 9
 Chapter 11. **Check all that apply:**

The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
 The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
 A plan is being filed with this petition.
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

No.
 Yes.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

Debtor

Urban Commons 2 West LLC

Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No
 Yes.

List all cases. If more than 1, attach a separate list

Debtor		Relationship
District	When	Case number, if known

11. Why is the case filed in this district? Check all that apply:

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
 It needs to be physically secured or protected from the weather.
 It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
 Other _____

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

No
 Yes. Insurance agency _____
 Contact name _____
 Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

Funds will be available for distribution to unsecured creditors.
 After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated Assets

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input checked="" type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
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Debtor

Urban Commons 2 West LLC

Name

Case number (*if known*)

<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input checked="" type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor

Urban Commons 2 West LLC

Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2022

MM / DD / YYYY

X /s/ Taylor Woods

Signature of authorized representative of debtor

Taylor Woods

Printed name

Title Authorized Signatory

18. Signature of attorney

X /s/ Robert L. Rattet

Signature of attorney for debtor

Date November 15, 2022

MM / DD / YYYY

Robert L. Rattet

Printed name

Davidoff Hutcher & Citron LLP

Firm name

605 Third Avenue

34th Floor

New York, NY 10158

Number, Street, City, State & ZIP Code

Contact phone 212 557 7200

Email address rir@dhclegal.com

1674118 NY

Bar number and State

Fill in this information to identify the case:

Debtor name Urban Commons 2 West LLC

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number (if known) _____

Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets–Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule*
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration* _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2022

X /s/ Taylor Woods

Signature of individual signing on behalf of debtor

Taylor Woods

Printed name

Authorized Signatory

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name	Urban Commons 2 West LLC
United States Bankruptcy Court for the:	SOUTHERN DISTRICT OF NEW YORK
Case number (if known):	_____

Check if this is an
amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Battery Park City Authority c/o Ephron-Mandel & Howard L.L.P. attn: Damon P. Howard 299 Broadway, 17th Floor New York, NY 10007		Landlord of the hotel at 2 West Street Battery Place, New York, New York 10004, that the Debtor owns pursuant to a lease	Disputed			\$13,737,073.52
Con Edison 4 Irving Place New York, NY 10003		Utilities				\$125,450.86
Direct Energy Business 1001 Liberty Avenue Pittsburgh, PA 15222		Utilities				\$53,139.66
Highgate Hotels, L.P. 870 Seventh Avenue, 2nd Floor New York, NY 10019			Disputed			\$1,800,000.00
Ichigo, Inc. Imperial Hotel Tower 1-1-1, Uchisaiwaicho Chiyoda-ku, Tokyo, Japan		Bond holders				\$5,000,000.00
Landmark Ventures (USA) Inc. 475 Park Avenue South, 25th Floor New York, NY 10016		Judgment creditor				\$59,524.45

Debtor	Urban Commons 2 West LLC	Case number (<i>if known</i>)		
Name				
Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.
				Total claim, if partially secured Deduction for value of collateral or setoff Unsecured claim
LHW Services GMBH Haldenstrasse 23, 6006 Lucerne, Switzerland		Judgment creditor		\$94,460.20
New York Hotel & Motel Trades Council Attn: Peter Ward 707 Eighth Avenue New York, NY 10036			Unliquidated	\$2,000,000.00
NY Hotel Trades Council Employee Benefit Funds 305 West 44th Street New York, NY 10036				\$0.00
NYC Environmental Control Board 66th John Street, 10th Floor New York, NY 10038		Judgment creditor		\$3,000.00

United States Bankruptcy Court
Southern District of New York

In re Urban Commons 2 West LLC

Debtor(s)

Case No.
Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Urban Commons Battery Park LLC		100%	Owner

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Authorized Signatory** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date November 15, 2022

Signature /s/ Taylor Woods
Taylor Woods

Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court
Southern District of New York**

In re Urban Commons 2 West LLC

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Authorized Signatory of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: November 15, 2022

/s/ Taylor Woods
Taylor Woods/Authorized Signatory
Signer>Title

Battery 22-11509-ph Doc# 11715/22 Filed 11/15/22 Entered 11/15/22 15:34:05 Main Document West II L
c/o Ephron-Mandel & Howard L.L.C. 1475 Park Avenue, 25th Floor
attn: Damon P. Howard
299 Broadway, 17th Floor
New York, NY 10007

BPC Lender, LLC
c/o Herrick, Feinstein LLP
Attn: Avery Mehlman
2 Park Avenue
New York, NY 10016

LHW Services GMBH
Haldenstrasse 23, 6006
Lucerne, Switzerland

Urban Commons 2 West III L

Con Edison
4 Irving Place
New York, NY 10003

Matco Service Corporation
584 Mineola Avenue
Carle Place, NY 11514

Urban Commons 2 West IV L

Direct Energy Business
1001 Liberty Avenue
Pittsburgh, PA 15222

Mezz Debt Guaranteed by the Urban Commons 2 West Op. I

ERJMJ, Investments LP
92 S. La Senda Drive
Laguna Beach, CA 92651

Millennium BPC Development, LICK XS Services, Inc.
1995 Broadway
New York, NY 10023

26 Journal Square Plaza, S
Jersey City, NJ 07306

Galaxy Investment Capital IncMiscellaneous
81 N. Mentor Avenue
Pasadena, CA 91106

West Bay Capital, LLC
222 N. Pacific Coast Highway
El Segundo, CA 90245

George M. Lee
Trustee of the MSL Family Trust
81 N. Mentor Avenue
Pasadena, CA 91106

New York Hotel & Motel Trades
Attn: Peter Ward
707 Eighth Avenue
New York, NY 10036

Wmberly Allison Tong & G
300 Spectrum Center Drive
Irvine, CA 92618

Highgate Hotels, L.P.
870 Seventh Avenue, 2nd Floor
New York, NY 10019

NY Hotel Trades Council
Employee Benefit Funds
305 West 44th Street
New York, NY 10036

Ichigo, Inc.
Imperial Hotel Tower
1-1-1, Uchisaiwaicho
Chiyoda-ku, Tokyo, Japan

NYC Environmental Control Board
66th John Street, 10th Floor
New York, NY 10038

Kone Inc.
4225 Naperville Road, Suite 400
Lisle, IL 60532

Residential Board of Managers of MPC
Michael S. Hiller
Hiller, P.C.
641 Lexington Avenue
New York, NY 10022

United States Bankruptcy Court
Southern District of New York

In re **Urban Commons 2 West LLC**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Urban Commons 2 West LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Urban Commons Battery Park LLC

None [*Check if applicable*]

November 15, 2022

Date

/s/ Robert L. Rattet

Robert L. Rattet

Signature of Attorney or Litigant

Counsel for **Urban Commons 2 West LLC**

Davidoff Hutcher & Citron LLP

605 Third Avenue

34th Floor

New York, NY 10158

212 557 7200 Fax:212 286 1884

rlr@dhclegal.com

United States Bankruptcy Court
Southern District of New York

In re Urban Commons 2 West LLC

Debtor(s)

Case No.
Chapter

11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Taylor Woods**, declare under penalty of perjury that I am the **Authorized Signatory** of **Urban Commons 2 West LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 14th day of November, 2022.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Davidoff Hutcher & Citron LLP** to represent the corporation in such bankruptcy case."

Date November 14 2022

Signed

Taylor Woods

Resolution of Board of Directors
of
Urban Commons 2 West LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter **11** of Title 11 of the United States Code;

Be It Therefore Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Taylor Woods, Authorized Signatory** of this Corporation is authorized and directed to employ **Robert L. Rattet**, attorney and the law firm of **Davidoff Hutcher & Citron LLP** to represent the corporation in such bankruptcy case.

Date November 14 2022

Signed _____

Date _____

Signed _____